

PUEBLO OF LAGUNA

P.O. BOX 194

LAGUNA, NEW MEXICO 87026

Office of:

The Governor
The Secretary
The Treasurer

Subject
FILE COPY
(505) 552-6654
(505) 552-6655

April 8, 1983 *- dated draft*

Anaconda file

James L. Marvin
President
Anaconda Minerals Company
555 Seventeenth Street
Denver, Colorado 80202

Re: Pueblo of Laguna Position on Reclamation of the Jackpile/
Paguete Mine

Dear Mr. Marvin:

On March 22, 1983, the Tribal Council reviewed the response of Anaconda Minerals Company (AMC), dated February 22, 1983, to former Governor Harry D. Early's letter of December 3, 1982, on behalf of the Pueblo of Laguna (POL). *shouldn't be in str.* I request that this letter to the Bureau of Land Management (BLM) be accepted as the Pueblo's "preferred alternative". Be advised that we intend to negotiate further with AMC on the issues listed below. The following is the Pueblo of Laguna's position (preferred alternative) with regard to each of the issues raised during discussion/negotiations on the reclamation of the Jackpile/Paguete Mine.

1. Monitoring - The position of the Pueblo of Laguna is that a minimum of a 10 year liability period be set. Further, conventional vegetation sampling procedures should be used. Sample adequacy must be met to ensure a proper measurement of successful revegetation. See Attachment 1, pp. 1-5.
2. Wastepile Slopes - The Pueblo maintains its position as presented in Governor Early's letter of December 3, 1982. See also, Attachment 1, p. 5.
3. North Paguate Pit - The Pueblo maintains that AMC should backfill the North Paguate Pit to flood plain level. The Pueblo is amenable to controlled blasting in order to eliminate the highwall. Once a 3:1 slope is attained, Anaconda should cover slope with 1 foot of topsoil and contour-furrow it in order to enhance the revegetation process and to deter erosion.
4. South Paguate Pit - The Pueblo maintains that the South Paguate Pit should be backfilled to its original contour. Also, when the Pueblo references the South Paguate Pit it necessarily includes SP-20.

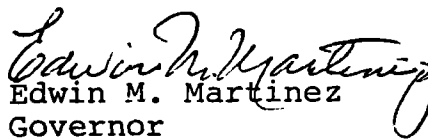
5. Railroad Spur - The Pueblo will accept transfer of ownership provided that AMC eliminates all radiological hazards associated with said right-of-way.
6. Buildings & Equipment - The Pueblo maintains its positions as outlined in the letter dated December 3, 1982, and it specifically requests that any water storage tanks, unused building materials in the P-10 area, fencing materials, Ermco loaders, stuls, and electrical conduit wire and boxes be also provided to the Pueblo upon specific selection.
7. Paguate Housing - The Pueblo maintains that AMC is responsible for damages incurred by certain homes in the Village of Paguate. The Pueblo desires to negotiate a separate settlement with Anaconda on this issue.
8. Mesita Reservoir - The Pueblo will not pursue this issue any further.
9. Topsoil - The Pueblo will accept 1 foot of topsoil if Anaconda will agree to 3:1 sloping of all waste dumps and stockpiles and the utilization of the contour furrowing. See Attachment 1, P. 5.
10. Stabilization of Arroyo Headcuts - The Pueblo maintains that the method of armoring or rip-rapping proposed by AMC for purposes of stabilizing the Arroyo Headcuts is not acceptable. The Pueblo will abide by the stabilization method as agreed to between the Bureau of Land Management (BLM) and AMC.
11. Post-Reclamation Grazing Management - The Pueblo will require fencing all disturbed areas within the leased premises, internal fencing of revegetated sites and fencing of vent holes. All reclaimed and reference areas should be fenced in order to prevent access by livestock. The fence should be designed so as to accomplish the intended purpose. The Pueblo maintains that AMC should be responsible for fence maintenance as well as fence patrol in order to ensure effective revegetation.
12. Disposition of Protore Stockpiles - The Pueblo desires to sell the remaining protore stockpiles. The Pueblo will determine the amenability of said stockpiles to heap leaching processes. It is the decision of the Pueblo not to engage in uranium production via underground mining methods.
13. Level of Backfill - On areas other than the South Paguate Pit and the North Paguate Pit the Pueblo maintains that backfill should be accomplished at a level of 10 feet above the groundwater recovery level.

Jim Marvin
April 8, 1983
Page Three

The Pueblo of Laguna Council has carefully considered the issues attendant to the reclamation of the Jackpile/Paguate Mine and this letter represents its official position. On those issues wherein the Company has indicated its willingness to engage in further discussions, the Pueblo is ready to meet. It should be understood that the Pueblo's position, as indicated herein, also represents the Pueblo's "preferred alternative" and should be recognized as such by all federal agencies concerned with this matter.

Sincerely,

PUEBLO OF LAGUNA


Edwin M. Martinez
Governor

Attachments

RJS/EMM:ejm

cc: Laguna Agency
Marc Nelson, BLM
John Blueyes
Bill Norem
Ron J. Solimon
Governor Martinez